IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2681 OF 2005

Nanasaheb Vishnu Jadhav ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.Vishwanath Talkute, for the Applicant.

Mr.A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

28th April 2005

P.C.:

. Heard Counsel for the parties. Perused the record. As there is evidence to indicate that the Applicant had also made demand and caused mental cruelty to the wife, I see no reason to depart from the conclusion reached by the Court below in rejecting the bail application preferred by the present Applicant. The offence in question is a serious offence and as there is

material to indicate complicity of the Applicant, not a case for bail. Hence, rejected.

. As prayer for bail is rejected, the Applicant is entitled for early trial. It was suggested to the Counsel for the Applicant, whether he would like the case to be tried by the Fast Track Court at Pandharpur to ensure early disposal of the trial. Counsel for the Applicant states on instructions that that course can be adopted, if at least the trial is disposed in time bound manner. Accordingly, the Sessions Judge, Solapur, is directed to assign the case to the Fast Track Court at Pandharpur for early disposal of the trial as High Court Expedited Case. The trial should be concluded preferably within three months from the receipt of writ of this Court, and, in any case, from assigning the case to the Fast Track Court by the Sessions Judge, Solapur. This estimate is mentioned on the basis of assurance given by the investigating officer, who is present in the Court, through the learned A.P.P., that if the trial proceeds on day to day basis, it will not take more than one month for the conclusion of the trial.

. In the event the trial Court is of the opinion that the Applicant, or other co-accused, who are the father and mother of the Applicant, are responsible for the delay in disposal of the trial in any manner, that opinion be recorded in the roznama, which will be taken into account as and when occasion arises.

. Needless to observe that the trial will proceed on its own merits in accordance with law on the basis of evidence adduced by the prosecution uninfluenced by the opinion expressed by the lower Court, or, for that matter, in the present order, which is made only for the limited purpose of considering the prayer for bail.

(A.M.KHANWILKAR,J.)